

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHAW FAMILY ARCHIVES, LTD., EDITH MARCUS, :
and META STEVENS, :

Plaintiffs, :

-against- :

CMG WORLDWIDE, INC., an Indiana Corporation :
and MARILYN MONROE, LLC, a Delaware :
Limited Liability Company. :

Defendants. :

Index No. 05 CV 3939 (CM)

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DECLARATION OF DAVID MARCUS

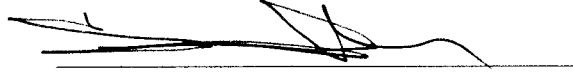
David M. Marcus, pursuant to 28 U.S.C. §1746, declares as follows:

1. I am an attorney with the firm Law Office of David Marcus, one of the attorneys for Plaintiff/Consolidated Defendant/Shaw Family Archives Ltd (“SFA”), Plaintiff Edith Marcus. Plaintiff Meta Stevens and Consolidated Defendant Bradford Licensing, Inc. (“Bradford”). I respectfully submit this declaration on behalf of SFA, Edith Marcus and Meta Stevens in opposition to the Motion to Dismiss of CMG Worldwide, Inc and Marilyn Monroe, LLC.

2. On September 7, 2007 I participated in a telephonic discovery conference with Orin Snyder, Esq. of Gibson Dunn & Crutcher, LLC (then counsel for Marilyn Monroe, LLC), an attorney from Sommer Barnard, PC (then counsel for CMG Worldwide, Inc.) and Hon. Mark D. Fox. I continued speaking to Orin Snyder after the conference. Mr. Snyder responded that Anna Strasberg and David Strasberg had been “emboldened” by their success in the California

Legislature and they intended to continue the litigation as a result. Shortly thereafter, Loeb & Loeb, LLC substituted Gibson Dunn & Crutcher as legal counsel for Defendant MMLLC.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed at New York, New York, this 6th day of November, 2007.



David M. Marcus